

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

3
4 UNITED STATES OF AMERICA,)
5 Plaintiff,)
6 vs.)
7 AARON MICHAEL SHAMO,) Case No: 2:16CR00631
8 Defendant,)
9 _____)
10)

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14
15
16 BEFORE THE HONORABLE DALE A. KIMBALL
17

18 August 13, 2019

19 JURY TRIAL
TESTIMONY OF JESSICA GLEAVE
TESTIMONY OF ALEXANDRYA MARIE TONGE
20
21
22
23

24 Reported by:
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2	WITNESS		EXAMINATION BY		PAGE	
3	JESSICA GLEAVE		DIRECT BY GADD		5	
4			CROSS BY BECKETT		19	
5	ALEXANDRYA MARI TONGE		DIRECT BY STEJSKAL		28	
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1 SALT LAKE CITY, UTAH, TUESDAY, AUGUST, 13, 2019

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3 (TESTIMONY GIVEN AND NOT ORDERED AND NOT TRANSCRIBED.)

4 MR. GADD: Your Honor, the United States calls
09:24:49 5 Jessica Gleave.

6 THE COURT: Somebody is getting her, I assume?

7 MR. GADD: It's always an act of faith when you
8 announce something like that.

9 THE COURT: Come forward and be sworn, please,
09:25:14 10 right here in front of the clerk of court. Right here.

11 THE CLERK: Please raise your right hand.

12 JESSICA GLEAVE,

13 called as a witness at the request of Plaintiff,

14 having been first duly sworn, was examined

09:25:29 15 and testified as follows:

16 THE WITNESS: I do.

17 THE CLERK: Come around to the witness box right
18 here.

19 Please state your name and spell it for the record.

09:25:44 20 THE WITNESS: Jessica Gleave. J-E-S-S-I-C-A,
21 G-L-E-A-V-E.

22 THE COURT: Go ahead, Mr. Gadd.

23 MR. GADD: Thank you, sir.

24 //

09:25:53 25 //

1

DIRECT EXAMINATION

2

BY MR. GADD:

3

Q. Good morning.

4

A. Good morning.

09:25:55

5

Q. Thank you for coming this morning. Are you prepared to testify about your part in the investigation of drug packages that are linked to Mr. Aaron Shamo?

6

A. Yes.

7

Q. Before we do that could you tell us just a little bit about yourself?

09:26:09

10

A. My name is Jessica Gleave. I grew up in Arizona. I was going to school, moved here when I was 19 to go to school for dental hygiene and then decided to pursue a career in eyelash extensions. And I decided I loved it here, so I stayed here and have been here ever since.

11

Q. Let's talk for a minute about relationships. Do you know Mr. Shamo?

12

A. Yes.

13

Q. There's a chart right next to you, you can see there. That's Exhibit 17.06. Who else do you know on this chart?

09:26:43

20

A. I know Luke Paz and Drew Crandall.

21

Q. And how about on the bottom row? Who do you know on the bottom row?

09:27:00

25

A. Julian* Mausia, and I recognize a couple other

1 people, but I don't necessarily know them.

2 Q. And for these jurors will you point out your
3 picture on the chart?

4 A. I'm just right here.

09:27:14 5 Q. You mentioned the gentleman next to you on the
6 chart, Mr. Mausia. And I think you say Mausia?

7 A. Mausia, yeah.

8 Q. Mausia. I'll do better. What was your
9 relationship with Mr. Mausia in 2016?

09:27:30 10 A. We were boyfriend/girl friend.

11 Q. Are you still now?

12 A. No.

13 Q. What type of relationship did you have with
14 Mr. Shamo? Was it a social relationship?

09:27:44 15 A. Yeah. We were good friends.

16 Q. You'd hang out together?

17 A. Yeah.

18 Q. Go to clubs together?

19 A. Yes.

09:27:51 20 Q. Party together?

21 A. Yes.

22 Q. Travel together?

23 A. Occasionally, yes.

24 Q. At some point in your relationship with Mr. Shamo
09:28:04 25 it transitioned from being strictly a social relationship to a

1 business relationship of sorts; correct?

2 A. Yes.

3 Q. Did you accept packages on Mr. Shamo's behalf?

4 A. Yes.

09:28:16 5 Q. Can you tell us how you first got involved with
6 that?

7 A. It came to my attention that my -- Julian was
8 accepting packages for him and he had told me about it, and so
9 eventually I decided that I wanted to, as well, and that's how
09:28:36 10 I found out about it.

11 Q. When Mr. Mausia first told you that he was
12 accepting packages from Mr. Shamo how did you feel about it?

13 A. I was mad.

14 Q. Why were you mad?

09:28:48 15 A. Because he had lied about it to me, and he was my
16 serious boyfriend that I was in love with so I was hurt, and
17 one of my good friends, so I felt mad about it. But....

18 Q. You knew there was something to these packages
19 then?

09:29:05 20 A. What do you mean?

21 Q. They weren't maybe legal?

22 A. Possibly, yeah. I didn't know. But, yeah, I
23 thought maybe.

24 Q. Did you try to talk Julian out of it?

09:29:21 25 A. I honestly don't remember. I was mad, but

1 obviously I ended up doing it, as well, so I wasn't that upset
2 about it, but.....

3 Q. And when you finally made that decision to receive
4 packages yourself what was your arrangement with Mr. Shamo?

09:29:41 5 A. So I would get a package just randomly, they would
6 just come. And whenever I received one I would let him know,
7 and then he would either come pick it up or I would bring it
8 to him in exchange for money.

9 Q. How much money would he pay you for a package?

09:30:02 10 A. 2- to \$300.

11 Q. Did he pay you in cash?

12 A. Yes.

13 Q. And when you would exchange the packages where
14 would you exchange them?

09:30:14 15 A. He would either come pick them up from me or I
16 would bring them to him. It was different every time.

17 Q. Did Mr. Shamo ever tell you what was inside of the
18 packages that you were receiving?

19 A. No.

09:30:27 20 Q. Was anyone ever with Mr. Shamo when you'd exchange
21 packages for money?

22 A. No. Occasionally there would be -- well, like I
23 said, we were friends so occasionally sometimes we would
24 exchange them before we would go out or whatever we do, so
09:30:54 25 there would be friends there. But not anyone there specific,

1 no.

2 Q. Looking back how many packages total do you think
3 you received from Mr. Shamo?

4 A. Probably around 10 to 15 packages.

09:31:10 5 Q. And I know you won't know the exact number, but how
6 many packages do you know of that Julian received?

7 A. I honestly don't know because he didn't tell me
8 about it, so I legitimately don't know.

9 Q. Don't know an exact number. Do you have an
09:31:28 10 estimate?

11 A. It had to have been more, around 10 to 15 is what I
12 received, and he received more than that because he had been
13 doing it longer. So I would say more than 10 to 15.

14 Q. Was there a schedule to it, or did they come
09:31:46 15 randomly? What was your experience?

16 A. It was just randomly. There wasn't really a set
17 schedule. It would just be legitimately totally random.

18 Q. You mentioned that you knew Luke Paz and Drew
19 Crandall. Did you interact with them socially, as well?

09:32:06 20 A. Yeah.

21 Q. Did they ever pay you money for packages?

22 A. No.

23 Q. Let's talk about a package that was taken at Texas
24 Roadhouse. I want to show you an, Exhibit 3.02.

09:32:35 25 Now, the jurors won't be able to see that well, so

1 I need you to be essentially their eyes for a moment. Who's
2 name is on the package?

3 A. Julian Mausia.

4 Q. When you look at that package does that look like
09:32:51 5 the type of packages that came in your name?

6 A. Yes.

7 Q. Does that package look like it came from China?

8 A. It says China on here. I'm not really sure where
9 it came from. But other than the label itself saying China,
09:33:08 10 so yes.

11 Q. Do you remember any of your labels saying China?

12 A. A lot of them were in other languages, so it could
13 have been in Chinese, but I'm not really sure. But....

14 Q. Do you remember in the November of 2016 being asked
09:33:27 15 to come to Texas Roadhouse and then this package was taken?

16 Do you remember that experience?

17 A. Being asked by Julian?

18 Q. Were you asked by Julian to come bring the car?

19 A. Yeah.

09:33:42 20 Q. Can you tell the jurors just briefly kind of what
21 happened there?

22 A. So I had dropped off, me and my boyfriend at the
23 time both were servers at Texas Roadhouse, and I dropped him
24 off to work. We were sharing his car at the time because my
09:33:58 25 car, I was in the process of getting a new one. And then so I

1 dropped him off running some errands. And then like an hour
2 or two into the shift he said, I'm done. Come pick me up.
3 And I said, okay. And I went and picked him up.

4 And then I was cut off by -- I looked -- I parked
09:34:18 5 the car and looked up, and there's all these black trucks in
6 front of me and agents knocking on my window and asking me
7 where the package was, which I wasn't even aware it was in the
8 car at the time. So....

9 Q. Had Julian not told you that that package was in
09:34:37 10 the car?

11 A. No.

12 Q. You had a chance to spend some time with those
13 agents that night; right?

14 A. Yes.

09:34:43 15 Q. Maybe longer than you would have liked?

16 A. Yeah.

17 Q. But at some point you started to cooperate with
18 them to answer their questions; correct?

19 A. Yeah.

09:34:55 20 Q. Did you make the change when you were told about
21 the potential seriousness of what was inside of these
22 packages?

23 A. Yes.

24 Q. The follow day, you met with some additional
09:35:06 25 agents; right?

1 A. Yes.

2 Q. And as part of a conversation there, did you agree
3 to notify them if more packages arrived for you?

4 A. Yes.

09:35:15 5 Q. And that, in fact, happened; right?

6 A. Yeah.

7 Q. For you and Julian. Let me show you first
8 Exhibit 4.02, and then I think I'll also bring 4.05 at the
9 same time.

09:35:46 10 So the jury heard about this just a minute ago so I
11 won't belabor it too much with you, but let's just briefly
12 explain what happened here. So another package came 4.02;
13 correct?

14 A. Yes.

09:35:59 15 Q. And you and Julian decided to call and turn that
16 one over.

17 A. Yes.

18 Q. And you met agents and turned it over to them?

19 A. So it looks like 4.02 is the one that Julian
09:36:12 20 received, so I'd actually never seen this one because I was
21 out of town for Thanksgiving. But this one was the one that I
22 turned over.

23 Q. Let's talk about that one, 4.05.

24 A. Yeah.

09:36:24 25 Q. That arrived. And did you make the phone call or

1 did Julian to the agents?

2 A. No. I did.

3 Q. And did you agree upon a place where you would meet
4 to turn the package over?

09:36:35 5 A. Yes.

6 Q. Where did you meet?

7 A. We just met at a McDonald's like right above,
8 30 minutes from here just around the Point of the Mountain in
9 Draper. I gave it to them there.

09:36:51 10 Q. I want to talk to you now about another package,
11 this one found at Mr. Shamo's residence. Had you previously
12 before his arrest been to Mr. Shamo's residence?

13 A. Yes.

14 Q. And when I say his residence, I mean the one on
09:37:05 15 Titian Way in Cottonwood Heights. Is that the one you're
16 thinking of?

17 A. Yes.

18 Q. Could we look at Exhibit 13.09? And then two of
19 the pages in there, Page 28, and then we'll look at Page 29.
09:37:43 20 Here we go.

21 Do you recognize the package in that picture;
22 right? You can see that there? It's on your screen?

23 A. Yes.

24 Q. And now if we can look at 29 so we can see a label.
09:37:55 25 Can we go one more? There we go.

1 Do you see your name on that?

2 A. Yes.

3 Q. Is that an address that you at one point lived at?

4 A. Yes, it is.

09:38:13 5 Q. Is that an address that Mr. Shamo sent packages to
6 in your name?

7 A. Yes.

8 Q. How did a package with your name end up inside his
9 house?

A. I delivered this package personally to him.

11 Q. I want to ask you now about an exhibit from
12 Mr. Shamo's computer. This one.

13 Can we look at Pages 30 and 31? Sorry about that.
14 That one right there. You got it.

09:39:12 15 Okay. Did you ever go inside this room, his home
16 office?

17 A. So I've seen a few rooms in his house. I've never
18 seen it -- I'm not sure if it was set up this way when I was
19 in there, so honestly I don't know.

09:39:35 20 Q. The rooms you did go in, did you see his TV? Maybe
21 downstairs, did you ever see that?

22 A. Yes.

Q. The big TV?

24 A. Yes.

Q. You'd been upstairs through the front door in the

1 living room area?

2 A. Yes.

3 Q. I'm not sure on this room. How about a room that
4 was locked sometimes with kind of reddish burgundy walls and
5 two pill presses inside of it, did you ever see that room?

6 A. No.

7 Q. Did you ever hear noises when you were hanging out
8 there, kind of pounding noises?

9 A. No.

09:40:12 10 Q. Okay. Now back to this. There's a document found
11 on the computer, and I want to ask you some questions about
12 it. So, Ms. Laughter, if we could look at 14.35.

13 Take just a moment and take a look at that. That's
14 the first page. As you look at that, do you recognize this
09:40:42 15 document from something prior to November 22nd, 2016?

16 A. I honestly don't.

17 Q. If you look at the very bottom of this first page
18 and as we go onto the second page, it has your name on it;
19 right?

09:40:59 20 A. Yeah.

21 Q. And that's the beginnings of your address; right?

22 A. Yeah.

23 Q. Can we look the second page briefly? And then how
24 about the name right below this one? Do you recognize
09:41:23 25 Mr. Mausia's name?

1 A. Yes.

2 Q. And is that an address that you knew him to reside
3 at at one point?

4 A. Honestly I don't know what his address was, but if
09:41:34 5 that's what it was, then, yes.

6 Q. You didn't write this document, though, did you?

7 A. No.

8 Q. Can we zoom out one last time?

9 How about any of the other names or addresses on
09:41:48 10 there, are these people you know?

11 A. I recognize two of the names just from knowing some
12 of his friends. But I don't know them personally, and I
13 wouldn't consider myself friends with them.

14 Q. Which are the two names that you recognized?

09:42:07 15 A. I recognize Clint Perry* and Roy Stevens, and
16 that's just because we have a big giant group of friends that
17 we used to go out with a lot. That's where I recognize the
18 names from.

19 Q. When you would communicate with Mr. Shamo, so
09:42:22 20 changing gears now again, when you would communicate with him
21 about, you know, about a package arriving or meeting up, how
22 would you communicate with him?

23 A. We would either text or talk over an app called
24 Telegram.

09:42:38 25 Q. Why Telegram?

1 A. Because it's just what he told me to contact him
2 on, and we had been talking over it for years as friends. And
3 it's just what he told me he preferred communications on.

4 Q. Was it that same for Julian?

09:43:00 5 A. Yes.

6 Q. Could we look at 14.14? And then specifically if
7 we could go down to Page 6.

8 This is Telegram communications between Shamo and
9 Julian, but you're mentioned here and I want to ask you about
09:43:23 10 it. So picking up at the top where the contacts saved as
11 Julian, Jessica's friend writes: A really heavy one just came
12 in. And then the owner of the phone, AS writes: Nice. Hey,
13 I want to see if Jess can get that packed tonight. I might
14 head down tomorrow instead. Is that cool?

09:43:40 15 Did you ever have an instance that you can recall
16 where Mr. Shamo would wait to pick up packages until he could
17 pick up one from both of you?

18 A. Yes.

19 Q. Let's take a minute now and talk about immunity.
09:43:57 20 So could we look at 23.04?

21 This is an immunity agreement; correct?

22 A. Yes.

23 Q. First written in June, but you signed it yesterday;
24 correct?

09:44:18 25 A. Yes.

1 Q. You needed an attorney, before you can think
2 through this and make a decision you needed advice from an
3 attorney before you were going to sign it; right?
4

09:44:33 5 A. I was definitely going to sign it before the

attorney, but yeah.

6 Q. One of us wanted you to have an attorney; right?

7 A. Yeah.

8 Q. And the court appointed an attorney for you?

9 A. Yes.

09:44:44 10 Q. Are you comfortable with the terms in this

agreement?

12 A. Yes.

13 Q. Essentially you've agreed to testify, and the
14 United States has agreed not to use what you say against you
09:44:56 15 so long as you tell the truth.

16 A. Yes.

17 Q. I've also told your attorney that the United States
18 doesn't have plans to seek a charge against you for those
19 packages that you're looking at right there; correct?

09:45:08 20 A. Yes.

21 Q. Since that meeting with the agents, so November of
22 2016 until now, have you stayed in contact with the agents?

23 A. Yes.

24 Q. Have you been truthful with them?

09:45:28 25 A. Yes.

1 Q. Let's talk now about maybe some of the harder
2 questions. You know the packages probably contained drugs;
3 right?

4 A. Not necessarily drugs, but something illegal, yes.

09:45:47 5 Q. So why did you help Aaron Shamo?

6 A. For money purposes only.

7 Q. Would you have helped him if you knew the packages
8 contained Fentanyl?

9 A. No.

09:46:08 10 MR. GADD: No further questions. Thank you.

11 THE COURT: Thank you, Mr. Gadd.

12 You may cross-examine Ms. Beckett.

13 MS. BECKETT: Yes, Your Honor.

CROSS-EXAMINATION

09:46:17 15 BY MS. BECKETT:

16 Q. Ms. Gleave, thank you for being here today. Would
17 it be a correct assessment to say that you're uncomfortable
18 being here today?

19 A. It's not my favorite place to be, but I'm here
09:46:38 20 willingly.

21 Q. You were pretty good friends with Aaron, weren't
22 you?

23 | A. Yes.

24 Q. You guys knew each other for several years;
25 correct?

1 A. Yes.

2 Q. In fact, he dated your cousin for several years;
3 correct?

4 A. Yes.

09:46:51 5 Q. What's her name?

6 A. Jillian Waltham.

7 Q. Is that how you became friends through Jillian?

8 A. Yes.

9 Q. And you guys partied together?

09:47:02 10 A. Yes.

11 Q. Went out clubbing together?

12 A. Yes.

13 Q. Socialized a lot?

14 A. Yes.

09:47:08 15 Q. Before you ever became involved --

16 A. Yeah.

17 Q. -- in the events you're talking about here today;
18 correct?

19 A. Yes.

09:47:17 20 Q. And, in fact, it was you that approached Aaron
21 wanting to be involved; correct?

22 A. Honestly I don't know. I don't remember.

23 Q. You remember discovering that your boyfriend at
24 that time Julian Mausia was receiving packages; correct?

09:47:39 25 A. Yes.

1 Q. And it was your testimony that you were upset that
2 he was receiving packages?

3 A. Yes. When I originally found out, yes.

4 Q. Why were you upset that he was receiving packages?

09:47:49 5 A. Because he lied to me about it and to my really
6 good friends doing something behind my back, so I wasn't
7 necessarily thrilled about it.

8 Q. So he lied about receiving packages or the contents
9 of those packages?

09:48:08 10 A. No. He lied to me about receiving packages.
11 Neither me or Julian ever knew what was inside of them. It
12 was a don't ask, don't tell policy.

13 Q. But you were mad that he received mail?

14 A. Yes.

09:48:22 15 Q. We talked a little bit a second ago about you and
16 Aaron having a group of friends that would party together. Is
17 that a correct assessment of your testimony?

18 A. Yes.

19 Q. What kind of partying did you do?

09:48:41 20 A. What do you mean?

21 Q. Go to clubs?

22 A. Yes.

23 Q. Are you a drug user?

24 A. Occasionally. Not avid drug user.

09:48:53 25 Q. Ever tried cocaine?

1 A. Yes.

2 Q. Roxy?

3 A. Yes.

4 Q. Weed?

09:49:02 5 A. Yes.

6 Q. Xanax?

7 A. Yes.

8 Q. During this time period that you were receiving
9 packages and prior to that, you did those drugs?

09:49:10 10 A. More prior to that, but yes.

11 Q. And at that point in time you were working as a
12 server for Texas Roadhouse; correct?

13 A. Yes.

14 Q. Did you make a lot of money as a server?

09:49:23 15 A. I wouldn't say a lot of money, but I do okay.

16 Q. So when the opportunity arose for you to make more
17 money you jumped at it; correct?

18 A. Yeah.

19 Q. And after learning that your boyfriend at the time
09:49:39 20 was making money receiving packages you thought that was a
21 good option for you; correct?

22 A. Not a good option, but an option, yes.

23 Q. As opposed to getting another job?

24 A. Yes.

09:49:52 25 Q. Easy money for you?

1 A. Yeah.

2 Q. Even though you had some inkling about what was in
3 those packages it didn't really matter because it was easy
4 money; correct?

09:50:08 5 A. Yes.

6 Q. That's why you never questioned it?

7 A. Yes.

8 Q. I believe it was your testimony that you had used
9 the Telegram app to communicate with Mr. Shamo even before you
09:50:23 10 were involved in the events that you are discussing today; is
11 that correct?

12 A. Yes.

13 Q. So it was an app that you guys uses even as
14 friends; correct?

09:50:34 15 A. Yes.

16 Q. Just a preferred method of communication, I believe
17 you called it?

18 A. Yes.

19 Q. This exhibit that you're looking at right here next
09:50:47 20 to you, these photos, I apologize, I do not know the number on
21 that one.

22 MR. GADD: 17.06.

23 MS. BECKETT: 17.06, thank you.

24 Q. BY MS. BECKETT: I believe you stated that you know
09:50:58 25 Mr. Paz and Mr. Crandall; is that correct?

1 A. On these photos?

2 Q. Correct.

3 A. Yes.

4 Q. How are you familiar with Luke Paz?

09:51:07 5 A. We all became friends at the exact same time like
6 nine years ago. We all met in Provo.

7 Q. How are you familiar with Mr. Crandall?

8 A. He was a weird friend of Aaron's that we met.

9 Q. Are you aware of Mr. Paz' role in this
09:51:28 10 organization?

11 A. I wasn't, no. And I'm honestly still not.

12 Q. What about Mr. Crandall's?

13 A. No.

14 Q. I believe you discussed briefly a scenario where
09:51:45 15 you were stopped outside of Texas Roadhouse. Do you remember
16 that part of your testimony?

17 A. Yes.

18 Q. You were detained by agents; correct?

19 A. Yes.

09:51:53 20 Q. Were you uncomfortable at that point in time?

21 A. I mean, yeah.

22 Q. It's okay. It's expected. Did you initially tell
23 the agents what your involvement was?

24 A. No.

09:52:11 25 Q. You withheld that information?

1 A. Yes.

2 Q. But later you decided to inform them what you
3 believed your role was?

4 A. Yes.

09:52:26 5 Q. During initial conversations with agents did they
6 ever tell you that if you cooperated that you would not be
7 charged?

8 A. Yes.

9 Q. Did that occur at that first meeting after Texas
09:52:42 10 Roadhouse?

11 A. Yes.

12 Q. They told you at that point in time that if you
13 cooperated you would not be charged?

14 A. Honestly it was a real long time ago. If it
09:52:56 15 wasn't, I don't know.

16 Q. It was around that time period?

17 A. I don't know. Yeah.

18 Q. Okay.

19 A. I don't know if it was the exact night, but it was
09:53:05 20 around that time period, yes.

21 Q. So you knew almost immediately if you told them
22 about other people that you would be safe; correct?

23 A. Yes. But that means that I don't really know
24 anything about anyone else, so....

09:53:24 25 Q. So you gave them the only name you knew.

1 A. I didn't give them any name. It was told to me.

2 And so I started cooperating.

3 Q. You gave them Aaron Shamo's name, though; correct?

4 A. I didn't give them anyone's name. It was told to
09:53:42 5 me.

6 Q. Aaron Shamo's name was told to you?

7 A. Yes.

8 Q. If we can go to Exhibit 23.04. I believe that's
9 the immunity agreement.

09:54:00 10 You signed this yesterday; correct?

11 A. Yes.

12 Q. And this essentially solidifies what you were told
13 from the outset; correct?

14 A. Yes.

09:54:13 15 Q. Have you ever spent a day in jail?

16 A. Yes, I have.

17 Q. On this charge?

18 A. No.

19 Q. On this case?

09:54:21 20 A. No.

21 Q. So when agents initially detained you outside of
22 Texas Roadhouse you were allowed to go home and think about
23 it.

24 A. Yes.

09:54:31 25 Q. Then come back with any information you had later;

1 correct?

2 A. Yes.

3 MS. BECKETT: Just one second, Your Honor.

4 THE COURT: Sure.

09:54:49 5 (Time lapse.)

6 MS. BECKETT: I have no further questions.

7 THE COURT: Thank you, Ms. Beckett.

8 Mr. Gadd, any redirect?

9 MR. GADD: Nothing further. Thank you.

09:55:08 10 THE COURT: Thank you. You may step down, and
11 you're excused.

12 THE WITNESS: Thank you.

13 THE COURT: You can come and go as you please.

14 (TESTIMONY GIVEN AND NOT ORDERED AND NOT TRANSCRIBED.)

12:50:41 15 THE COURT: Government may call its next witness.

16 MR. STEJSKAL: We call Alex Tonge.

17 THE COURT: Come forward and be sworn, please,
18 right up here in front of the clerk of court.

19 THE CLERK: Please raise your right-hand.

12:51:14 20 ALEXANDRYA MARIE TONGE,
21 called as a witness at the request of Plaintiff,

22 having been first duly sworn, was examined

23 and testified as follows:

24 THE WITNESS: I do.

12:51:23 25 THE CLERK: Come around to the witness box here.

1 Please state your name and spell it for the record.

2 THE WITNESS: It's Alexandrya Marie Tonge.

3 A-L-E-X-A-N-D-R-Y-A, M-A-R-I-E, T-O-N-G-E.

4 THE COURT: You may proceed, Mr. Stejskal.

12:51:51 5 MR. STEJSKAL: Thank you, Your Honor.

6 DIRECT EXAMINATION

7 BY MR. STEJSKAL:

8 Q. Your current occupation?

9 A. I'm an install manager at Main Street Office
12:51:59 10 Furniture.

11 THE COURT: You need to speak up and right into the
12 microphone so everybody can hear you.

13 Q. BY MR. STEJSKAL: How about your previous
14 employment before that?

12:52:07 15 A. I worked at ebay in business development.

16 Q. And how long did you work at ebay?

17 A. For five years.

18 Q. Over what time period?

19 A. August 2012 through August 2017 -- or May 2017.

12:52:22 20 Q. And you also have some military experience?

21 A. I do.

22 Q. What's that?

23 A. I served six years in the Utah National Guard.

24 Q. Over what time period?

12:52:31 25 A. 2013 through 2019.

1 Q. Do you know Katie Bustin?

2 A. I do.

3 Q. How do you know her?

4 A. She's my wife.

12:52:48 5 Q. And did the two of you work together at ebay back
6 in those years that you mentioned?

7 A. Yes, we did.

8 Q. And how did you -- did you form a relationship
9 while you were there?

12:52:57 10 A. Yes. We were friends at first, and it formed
11 beyond that later.

12 Q. Through your employment at ebay, did you come to
13 know a man by the name of Aaron Shamo?

14 A. I did, yes.

12:53:13 15 Q. How did you come to know him?

16 A. Through Katie. He worked on a team with her there.
17 So he was in the same department that I was working in at that
18 time.

19 Q. And what did you know of him or about him at that
12:53:27 20 time?

21 A. Just that he was, you know, regular guy working at
22 ebay.

23 Q. How about a gentleman named Drew Crandall?

24 A. Yes. Worked in the same department.

12:53:40 25 Q. As you or as --

1 A. So at that time we all worked in the same
2 department.

3 Q. Okay. And what do you know about him?

4 A. Same kind of thing. Just someone that worked
12:53:51 5 there.

6 Q. At some point did you and Miss Bustin become more
7 involved with Aaron Shamo in business relations?

8 A. Yeah. So when Aaron had left ebay he continued
9 living what seemed like a pretty normal lifestyle, didn't seem
12:54:21 10 to struggle with money, so we were kind of interested in what
11 business venture he was doing outside of ebay in order to do
12 that.

13 Q. And how did you guys try to figure that out?

14 A. Katie had asked Aaron, what are you up to? What
12:54:36 15 are you doing? How are you making money? How are you living?
16 Type of thing.

17 Q. And what response?

18 A. He had mentioned that he was trading Bitcoin and
19 making money that way. So....

12:54:49 20 Q. Okay. Anything beyond that that you became
21 involved in?

22 A. Yes. So we, you know, had kind of expressed
23 interest in getting involved, so he mentioned that he could
24 ship packages directly to us. And if we brought them to him
12:55:04 25 he would give us a couple hundred bucks a package.

1 Q. Do you recall where you had that conversation with
2 Mr. Shamo?

3 A. In his BMW somewhere in Midvale, initially.

4 Q. Any more talk about what was in those packages or
12:55:22 5 why he wanted you to do that?

6 A. Not at that time. I chose to kind of not push
7 beyond that initially to find out what was in that.

8 Q. Okay. What were your instructions then as far as
9 doing that for him?

12:55:36 10 A. Don't open the packages, just bring them to him at
11 his house, let him now, hey, we got one, and meet up
12 somewhere.

13 Q. Did that seem at all fishy to you when you started
14 doing that?

12:55:48 15 A. Yeah. Yeah. It seemed, you know, kind of strange
16 that he would want something shipped somewhere else instead of
17 to him.

18 Q. But you agreed to do it, anyway?

19 A. Yeah.

12:55:58 20 Q. How come?

21 A. I was kind of in a tight position financially.

22 Q. Take your time.

23 So because of that you decided you would go ahead
24 and no questions asked?

12:56:46 25 A. Yeah.

1 Q. Who told you what you would be paid and how you
2 would be paid?

3 A. Aaron was who we communicated with.

4 Q. And before I forget, can you identify Aaron Shamo
12:57:03 5 in the courtroom here today?

6 A. Yeah. He's sitting in the black suit over there,
7 black tie.

8 Q. At the end of counsel table?

9 MR. STEJSKAL: May the record reflect that this
12:57:12 10 witness has identified the defendant Aaron Shamo?

11 THE COURT: Yes.

12 MR. STEJSKAL: Thank you, Your Honor.

13 Q. BY MR. STEJSKAL: How many packages do you believe
14 you received in that manner?

12:57:24 15 A. Four to five packages.

16 Q. And how would they come?

17 A. So initially they would just, a little random. I
18 mean, shipped in a brown box with what seemed like a normal
19 shipping label. Chinese writing on some of them. Envelopes.

20 Q. And you would receive them. And then what would
21 you do with them once they came in your possession?

22 A. Katie would reach out to Aaron and say, hey, we've
23 got a package. When do you want to meet up so we can give it
24 to you?

25 Q. When would you meet Mr. Shamo to deliver those

1 packages?

2 A. We met him in his car or at his out in SugarHouse.

3 Q. How would you get paid?

4 A. In cash.

12:58:13 5 Q. By whom?

6 A. By Aaron.

7 Q. And who were those packages addressed to?

8 A. I believe they were addressed to Katie.

9 Q. And did you move sometime in 2015?

12:58:33 10 A. We did, yes. We lived in Riverton, and we moved to
11 South Jordan in Day Break.

12 Q. And can you tell us the address?

13 A. Yeah. 116 -- 11469 South Open View Drive. Sorry.

14 Q. And just for perspective that's the place that the
12:58:53 15 police ultimately came to?

16 A. Yes. Yeah.

17 Q. While you were living at that residence, were you
18 still having some financial difficulties?

19 A. Yes. They had minimized. Initially my mom was
12:59:09 20 sick. She was in the hospital for six months. She's a single
21 parent, so it was just me and her, and so I felt, you know,
22 the need to try to take care of her. So we had initially been
23 living together in Riverton, and she got her own place in
24 South Jordan.

25 Q. Your mom did, and you guys got your own place.

1 A. Yeah.

2 Q. Did there come an opportunity to make more money
3 with Mr. Shamo?

4 A. Yes.

12:59:45 5 Q. How did that come about?

6 A. In a conversation that myself, Katie, Aaron and
7 Drew had to do more for kind of what they were trying to build
8 and give us a background on what they were doing.

9 Q. Do you recall approximately when that conversation
13:00:03 10 took place?

11 A. I believe in May of 2015 or June shortly after we
12 had moved to South Jordan.

13 Q. Okay. And do you recall where that conversation
14 took place?

13:00:18 15 A. Yes. In the basement of the SugarHouse where Aaron
16 and Drew lived.

17 Q. And what was the proposition? What was the
18 business arrangement?

19 A. That we would package product for them and ship it
13:00:34 20 out to, you know, buyers that are purchasing from them online.

21 Q. And how were you going to get paid?

22 A. In cash.

23 Q. Do you recall how much initially was promised?

24 A. I believe we started at a thousand a month or a
13:00:51 25 thousand every two weeks, so a thousand per person per month.

1 Q. Okay. And who would pay you?

2 A. Aaron would pay us.

3 Q. So how did you get started or trained in performing
4 that operation?

13:01:15 5 A. After that conversation at the residence they said
6 that they would set up a time to bring, you know, product over
7 to our house so that they could teach us how to do it. And so
8 that was scheduled. And Drew's actually the one that brought
9 all of that product over.

13:01:32 10 Q. Okay. So initially Drew came over to your house in
11 Daybreak?

12 A. Yes.

13 Q. Drew Crandall?

14 A. Yes.

13:01:39 15 Q. And what did he bring and what did he show you?

16 A. Brought a tote full of drugs to ship out, brought
17 envelopes, mylar bags, heat press, postage.

18 Q. And at that period of time how was communication to
19 take place between you and Mr. Shamo?

13:02:06 20 A. Via Telegram.

21 Q. Tell us what Telegram is.

22 A. It's a texting app that can be used in an
23 encryption mode. It's not detectable or easily readable.

24 Q. So in lay terms how does that work? So if you send
25 a text what happens?

1 A. So it's just -- from my understanding, so it's just
2 sent almost like a normal text but you open a different app.
3 But it's kind of a locked -- it's a locked down app. You've
4 got to be able to erase everything or send secret messages so
13:02:49 5 instead of your phone. You know, anyone in the government can
6 have access to that or see messages or whatever. It allows
7 for that not to happen.

8 Q. So the idea is it's more secure or secret than
9 regular text messages.

13:03:03 10 A. Correct.

11 Q. Whose idea was it to communicate through that
12 program?

13 A. Aaron's.

14 Q. Did he specifically tell you guys?

13:03:14 15 A. Yeah. He showed us the app to download and kind of
16 how to use it.

17 Q. And gave you instructions that that's what you were
18 to communicate with?

19 A. Yes.

13:03:22 20 Q. Is there also something called Sigaint?

21 THE COURT: Called what?

22 MR. STEJSKAL: Sigaint, S-I-G-A-I-N-T.

23 Q. BY MR. STEJSKAL: Does that sound right?

24 A. Yes.

13:03:35 25 Q. What's that?

1 A. It's an e-mail on the Dark Web. So like a Gmail,
2 but in an area that's nondetectable.

3 Q. So in lay terms sort of like the Telegram app for
4 text messages it's sort of that for e-mail?

13:03:56 5 A. Correct.

6 Q. Let's look at Exhibit 15.07. Just looking at that
7 page there can you tell us what that is?

8 A. Yeah. That's what the e-mail interface looked
9 like.

13:04:19 10 Q. That's --

11 A. I believe that was ours. It's the, pass the peas.

12 Q. Tell us what you mean by that. It says
13 passthepeas@sigaint.org. What is that?

14 A. That was the e-mail address that was given to us to
15 use.

16 Q. Given to you by whom?

17 A. By Aaron.

18 Q. And that's how you were to receive e-mail messages?

19 A. Correct.

13:04:44 20 Q. Let's go all the way to the last page. It might be
21 a blank page, so it might be the second-to-the-last page. And
22 starting at subject there, if you can focus that in.

23 A. So that was how to get everything set up so we
24 could have access to it from our computer at our house.

13:05:13 25 Q. So reading that down there, the text, it's

1 basically, here's what you've got to do?

2 A. Yeah.

3 Q. So did you guys receive this message?

4 A. We did receive it. Drew sent it to himself and set
13:05:25 5 it up on our computer.

6 Q. At your house?

7 A. Correct.

8 Q. And then kind of showed you how to use it?

9 A. Right.

10 13:05:34 Q. What does it mean by, open the GPG Keychain
11 program?

12 A. So that's the program to use to read encrypted
13 message that are sent as documents.

14 Q. So you have to be some kind of a key to be able to
15 13:05:54 un-encrypt and read these messages?

16 A. Yes. It's kind of like a USB key that you click
17 and put in.

18 Q. And you were given that by then?

19 A. Correct.

20 Q. You said your address was, pass the peas; correct?

21 A. Yes.

22 Q. Do you recall what Mr. Shamo's was?

23 A. American Steam, I believe?

24 Q. Okay. And again, what kind of things would you
13:06:28 25 communicate with Mr. Shamo over this e-mail system?

1 A. Orders were sent via this e-mail. Or if there were
2 things that needed to be addressed like if there was a
3 customer service issue, it would be sent through here.

4 Q. Okay. All right. So let's shut that down.

13:06:52 5 So when this operation, I guess when you initially
6 got involved here it looks like in June or July of 2015, tell
7 us what kind of packaging materials you were using at that
8 time.

9 A. Priority envelopes, non-padded, and mylar bags to
10 put the product in.

11 Q. So some of those yellow padded envelopes?

12 A. It ended up being, yeah.

13 Q. Okay. So you said mylar bags. Any other things
14 that you can think of?

13:07:30 15 A. Like a makeshift invoice to put in with the
16 package.

17 Q. Okay. Let's look at Exhibit 11.00, 031.

18 Do you recognize that?

19 A. I do, yes.

13:07:53 20 Q. What is that?

21 A. An invoice that we created to include with the
22 shipment that was sent out.

23 Q. Okay. Were you given instructions on using
24 invoices?

13:08:04 25 A. Yes. When Drew came over initially he had brought

1 some that they had already created to send out with their
2 packages. I assumed they were already using it, so he kind of
3 brought over a format to use.

4 Q. Did you change that over time?

13:08:21 5 A. I did, yeah.

6 Q. Why?

7 A. Just kind of break things up, change how things are
8 going out. There were concerns of packages being, you know,
9 intercepted, then change would happen.

13:08:37 10 Q. Were you given instruction on that?

11 A. Yeah. Drew, you know, had mentioned, maybe we need
12 to change it up, not keep things the same.

13 Q. And after Drew left the organization, did you
14 receive instructions from someone else?

13:08:52 15 A. Yes. Aaron kind of recommended, let's try coffee
16 beans in packages or Legos in packages to kind of change
17 what's being sent.

18 Q. Let's also look at 7.02, I guess the first page.

19 19 Nope. Let's try the second page. There's a series of photos.
20 20 Is this 7.03? Never mind. Let's skip that for now. Let's
21 21 look at 11.00, Page 26.

22 In the bottom left corner there we see some
23 Cheez-its and some cookies and things. Do you see that?

24 A. Yes.

13:10:07 25 Q. What's that about?

1 A. So we also used that because they are made of mylar
2 to put product actually in with those food items and then
3 reseal it and send those out.

4 Q. So you talked about so there's cookies here,
13:10:24 5 there's chips. It was the mylar bags that you wanted to put
6 the pills in?

7 A. Yes.

8 Q. And this is again towards the beginning of this in
9 the summer of 2015?

13:10:38 10 A. Yes.

11 Q. Did that change over time that you kind of quit
12 using these?

13 A. Yeah. Aaron had mentioned several complaints of,
14 you know, people getting cookies that were all spilled
13:10:52 15 everywhere, whatever, so we decided to change that.

16 Q. Okay. And you mentioned coffee beans a second ago.
17 Tell me about that.

18 A. So inside the just the normal mylar bags we added
19 coffee beans. So he ordered coffee beans somewhere online and
13:11:09 20 brought them over for us to use.

21 Q. When you say "he" who was that?

22 A. Aaron.

23 Q. And it was like a giant bag of coffee beans?

24 A. Yeah. It was a burlap sack with coffee beans.

13:11:20 25 Q. And you put a few in each package?

1 A. Yes.

2 Q. And that was per his instructions?

3 A. Correct.

4 Q. Talk about postage. How did that work at the
13:11:33 5 beginning?

6 A. So initially we would get the envelopes from the
7 post office and then have priority stamps. And so we would
8 just stamp the envelope with that postage.

9 Q. And were there times that you used regular stamps,
13:11:50 10 too?

11 A. Yeah. If we needed to increase the amount of
12 postage on that package.

13 Q. Okay. Let's look at 11.00, 029.

14 Do you recognize those being found at your house?

13:12:12 15 A. Yes. They were kind of I believe a counterfeit
16 postage that was purchased online rather than instead of
17 trying to get postage from the post office.

18 Q. So who were those given to you by?

19 A. By Aaron.

13:12:29 20 Q. Okay. And apparently they didn't work because they
21 were counterfeit?

22 A. Yeah. So we had several that were never used.

23 Q. So just kind of put them in the closet?

24 A. Yeah.

13:12:39 25 Q. Okay. Let's next look at Photo 33. If we could

1 zoom in a little bit.

2 Can you tell what that is?

3 A. Yes. That's a receipt from the post office for
4 purchasing priority mail stamps.

13:13:01 5 Q. And those look like a fairly sizeable dollar
6 amounts there. It looks like \$580.50 on the top line. Tell
7 us about the amounts of postage you were going through.

8 A. We purchased that probably twice a week. So
9 sometimes Aaron would purchase it and give it to us.

13:13:24 10 Sometimes Drew would purchase it. Sometimes we would purchase
11 it and get reimbursed on Venmo.

12 Q. Okay. But that was an important part of what you
13 were doing having postage available.

14 A. Correct.

13:13:37 15 Q. Couldn't really do your job without it.

16 A. Right.

17 Q. Did the postage get even more sophisticated later
18 on in your participation?

19 A. Yes. There was a website on the Dark Web that you
13:13:57 20 could purchase actual shipping labels and print them out, and
21 it had to have the address going and coming. And it would
22 include the postage. And you would purchase it via Bitcoin.

23 Q. And how did you get turned onto that?

24 A. So Drew suggested that we use that. Aaron set us
13:14:23 25 up with the website, set us up with a Bitcoin wallet and would

1 transfer Bitcoin to us in order to purchase the postage.

2 Q. Do you recall what the website was called?

3 A. Getusps.com.

4 Q. Did you also try to track packages?

13:14:46 5 A. Yes.

6 Q. And let's look at Photo 47.

7 Do you recognize that?

8 A. Yeah. Tracking is free to use if you use a
9 priority envelope.

13:15:03 10 Q. Okay. And those were found at your house on the
11 search warrant. Do you recognize why those are there?

12 A. Yes. When we were doing postage that you buy at
13 the post office we would include a tracking label on each
14 package and then keep the bottom portion and write the
15 customer name with it so that if issues arose that could be
16 referenced.

17 Q. If I understood you correctly you would save the
18 tracking number so if something came up you could figure out
19 from the tracking number what package it was that had
20 concerns.

21 A. Correct. See if it been delivered or not.

22 Q. Okay. Let's look at Photo 32 and Photo 37 and
23 Photo 38. Can you tell us what those are?

24 A. Those are label printers to use when using like
25 USPS because it would print on a sticker basically so you can

1 stick that to the envelope or box.

2 Q. So it would print out the address and you would
3 just paste it on there.

4 A. Correct.

13:16:32 5 Q. Did you guys do that?

6 A. We could never get it to work properly.

7 Q. So how did you use it instead?

8 A. Just used a printer, just a normal standard printer
9 and printed it out that way.

13:16:45 10 Q. So you ended up with some extra labels that you
11 couldn't use?

12 A. Yeah. Label makers, yeah.

13 Q. In the closet with everything else?

14 A. Yeah.

13:16:55 15 Q. How did you figure out return addresses?

16 A. So when Drew came over initially he said just pick
17 a random address on Google Maps near the post office you want
18 to use at that time and use that as a return address. So
19 every time was different. Every day was different.

13:17:13 20 Q. And did you kind of do that then?

21 A. Yeah. Uh-huh (affirmative). Once he kind of
22 showed us how to do that he didn't come over every day, and I
23 took that over.

24 Q. And were those individuals or companies or how did
25 you do that?

1 A. So we kind of matched it with the invoice that we
2 were using, and we would use a company name. But initially we
3 would just think of a random first and last name.

4 Q. So like many things this seems to progress over
13:17:45 5 time, so at the beginning you used individual names and later
6 on you decided it would be company names?

7 A. Correct. Yeah.

8 Q. Were you given some instruction on that?

9 A. Yeah. Just to make it more professional, you know,
13:17:57 10 conversations with Aaron on, what could we do to ensure
11 packages were arriving and not a red flag in a post office.

12 Q. So would it be fair that he kind of gave you
13 directions on that?

14 A. Yes.

13:18:14 15 Q. And then how did that relate to where the packages
16 would be dropped off for delivery?

17 A. So we would find post offices in that area. So if
18 it's in South Jordan we would try to find blue boxes and post
19 offices in that area and drop it off like that.

13:18:34 20 Q. And at the beginning here that we're talking about
21 the summer of 2015 and going forward from there, was that one
22 of you and Miss Bustin's tasks, as well, was to actually drop
23 them off?

24 A. Yes.

13:18:48 25 Q. This sounds kind of time consuming.

1 A. Very.

2 Q. Tell us about that. How time consuming?

3 A. At the beginning, you know, maybe an hour or two a
4 night, plus drop-off time. And it progressed to three, four,
13:19:03 5 five hours depending on how many orders were happening that
6 day.

7 Q. So you seem to say that there were fewer orders at
8 the beginning and the order numbers increased as time went on?

9 A. Yes.

13:19:18 10 Q. How about package sizes, did that seem to increase,
11 too, as time went on?

12 A. Exponentially, yeah.

13 Q. What do you mean by that?

14 A. Initially maybe somebody was buying five or 10 of
13:19:30 15 something, and then we were shipping out hundreds and
16 thousands to one person.

17 Q. By the end?

18 A. Yeah.

19 Q. You guys were still working at ebay, then, 2015
13:19:49 20 into 2016?

21 A. Up until our indictment, yes.

22 Q. And so how did that affect your quality of life, I
23 guess, working at ebay and doing this?

24 A. Not much free time. So working, going to school
13:20:05 25 full-time and doing this, as well. Didn't leave for much of

1 social life outside of that.

2 Q. Let's look at Exhibit 11. Let's do Page 2.

3 Do you see that "ship to" address on there?

4 A. Yes. Aaron's address in Cottonwood.

13:20:40 5 Q. And this was found with the search warrant at your
6 house. So how did you come in possession of this thing?

7 A. It was something that he ordered that we needed
8 paper, labels or something of that nature, and then brought it
9 over to our house.

13:20:54 10 Q. Okay. Let's look at Page 3. Page 4. There we go.

11 What's that?

12 A. Mylar bags.

13 Q. Page 5. That's not Page 5. That's Page 6, I
14 think. That's Page 6. Page 7.

13:21:32 15 What are we looking at there?

16 A. The desk that we sat at to do orders.

17 Q. And on the right side, those white things?

18 A. The priority envelopes that we used.

19 Q. So you used a bunch of those?

13:21:47 20 A. Yeah.

21 Q. 42. See that address again?

22 A. Yep.

23 Q. So was it fairly common for Mr. Shamo to order that
24 and bring that stuff over to you?

13:22:02 25 A. Yes. Yeah.

1 Q. That's really how you got most or all of that
2 stuff?

3 A. Yeah. Very seldom did we purchase something
4 ourselves.

13:22:13 5 Q. Was that 42? 43, same thing. And 44. Remember
6 those stickers?

7 A. Yeah. Aaron toyed around with the idea of putting
8 those on packages so that things weren't crushed or again just
9 change the look of the package that was going through.

13:22:39 10 Q. And that was kind of early on you quit using those,
11 too?

12 A. Yeah.

13 Q. How come?

14 A. Just seemed like more time for us.

13:22:50 15 Q. Now, you said Mr. Crandall, Drew, had initially
16 brought stuff over to you guys and showed you how to run
17 things.

18 A. Yeah.

19 Q. And I believe you said that was in like late summer
13:23:04 20 of 2015?

21 A. Yes.

22 Q. Was there some point that Mr. Crandall planned to
23 leave or was leaving the country?

24 Q. Yeah. Later that year in November he was getting
13:23:16 25 ready to go to New Zealand and do a working visa there.

1 Q. What did you know about that? Where did you learn
2 about that from?

3 A. I learned that from Aaron. And he mentioned that
4 he bought Drew out for 30,000 to take over fully himself.

13:23:33 5 Q. Okay. And did Drew end up leaving then?

6 A. He did, yes.

7 Q. Where did that conversation take place about buying
8 Drew out and those things?

9 A. At our house in our office.

13:23:47 10 Q. And did that have any effect or change on what you
11 guys were going to be required to do, you and Ms. Bustin?

12 A. Just assumed, you know, kind of more work less one
13 person running around to get things. So Aaron would have to
14 be more involved in getting product to us or making decisions
15 and things like that.

16 Q. Did your pay change over time?

17 A. It did, yes.

18 Q. Explain that.

19 A. I think we had, you know, mentioned we were doing a
20 lot. We're spending this much time. I feel like getting more
21 money is worth it for him, for Aaron to pay us. And I think
22 also if he felt discontent from us, that was kind of a
23 Band-Aid for him. Give me some more money or let me pay you
24 more, try to fix things there with us that.

13:24:47 25 Q. Did you complain at all to Aaron that it was taking

1 too much time or it was too hard?

2 A. Yeah, absolutely.

3 Q. Tell us about that.

4 A. Just conversations about, you know, if he didn't
13:24:58 5 get any mail to us til 8:00 or 9:00 and we had three hours of
6 work to do, you know, it was areas of frustration with him.

7 And it got to the point where we just kind of said, you know,
8 we don't really want to do this anymore. It's too much. It's
9 too much pressure to do this. And his response was, kind of
13:25:24 10 upset, you know, you can't do that to me. You can't just
11 leave. And at least let me get somebody in your position.
12 You can help train them. I'll give you money for a
13 downpayment on a house, whatever I can do, type of response.

14 Q. And this is later on in the --

13:25:41 15 A. Yeah. It was October, November, right before
16 everything came to a head.

17 Q. Okay. We'll get more into that later. We'll try
18 to stay on progression here a little bit.

19 A. Yeah.

13:25:52 20 Q. So tell us about what you were shipping. So at the
21 beginning do you recall what kind of items you were shipping?

22 A. Yeah. Yeah. We shipped weed or Ecstacy, LSD.

23 Q. By weed you mean marijuana?

24 A. Yes.

13:26:13 25 Q. What's Ecstacy?

1 A. Party drug.

2 Q. And what kinds of amounts were you shipping those
3 things?

4 A. Small amounts. You know, even one or two things at
13:26:25 5 a time or maybe 10 for a larger order, stuff like that. So
6 nothing extensive.

7 Q. Okay. Let's look at Photo 41 on 11.00.

8 Do you recognize that?

9 A. Yes. Those were used to capsule MDMA.

10 Q. And did you guys do that or did somebody else?

11 A. Initially Aaron or Drew did it. They came
12 pre-done, but that was something else that we had to do.

13 Q. And again, that was towards the beginning of your
14 involvement in this organization?

13:27:07 15 A. Correct.

16 Q. And then you guys quit doing that.

17 A. Yeah.

18 Q. So like these like many things ended up in the
19 closet?

13:27:15 20 A. Yeah.

21 Q. Okay. So marijuana, LSD, MDMA. Eventually did you
22 move on to other things that you were shipping?

23 A. Yeah. Xanax was the next kind of big thing.

24 Q. Tell us what that was. What does that look like?

13:27:35 25 A. Little white bar made of powder.

1 Q. And tell us about order sizes towards the beginning
2 of Xanax.

3 A. They were, you know, still kind of small, but they
4 increased pretty easily, it seemed like.

13:27:55 5 Q. And did you seem to do a lot of that?

6 A. Yeah.

7 Q. Did that become one of the primary products?

8 A. Yes.

9 Q. In fact, was that the primary product before Drew
13:28:06 10 left?

11 A. Yes.

12 Q. After Drew left, did the products change again?

13 A. They did.

14 Q. What happened?

13:28:12 15 A. They turned into little blue capsules, circular
16 capsules that were M Box, is what they were termed.

17 Q. And did you know what M Box or Oxycodone was?

18 A. He just said it was like Oxycodone.

19 Q. Did you know outside of that from an injury or
13:28:36 20 something else what Oxycodone pills were?

21 A. Yes.

22 Q. How did you know?

23 A. Previous relationship, been used. Injury or when
24 my mom was in the hospital that's what she used.

13:28:50 25 Q. So you had seen those before?

1 A. Yeah.

2 Q. And they were Oxycodone?

3 A. Yeah.

4 Q. When this started, did you have any reason to
13:29:00 5 suspect that these were something other than Oxycodone?

6 A. No.

7 Q. And did you feel comfortable shipping those?

8 A. Yeah. I mean, to some extent.

9 Q. Did Mr. Shamo give you an explanation for why he
13:29:16 10 was sending these to people?

11 A. Yeah. He kind of initially played off his, you
12 know, I'm a white collar drug dealer. I'm trying to help
13 people that can't get medicine in a formal way that still need
14 it.

13:29:32 15 Q. And did you believe that or did you think about
16 that some more?

17 A. I did, you know, initially believe that seemed
18 right to me. I mean, I also was trying to make myself feeling
19 better about what I was involved in. So he kind of has a very
13:29:55 20 charismatic way of explaining things or, you know, trying to
21 calm you down and make you feel like, no, that's what we're
22 doing. It's okay.

23 Q. "He" meaning Aaron?

24 A. Yes.

13:30:06 25 Q. That's what he told you, and that sounded

1 believable?

2 A. Yeah.

3 Q. Did you come to change that view based on what you
4 were doing and quantities?

13:30:13 5 A. Yeah. Absolutely. That's kind of what brought on
6 discontent.

7 Q. Tell us about that. How did you kind of conclude
8 differently?

9 A. Doing that, you know, number of pills seemed
13:30:25 10 strange to me that someone would want to buy, you know, 1,000,
11 2,000, 5,000 pills for an injury or, you know, something of
12 that nature.

13 Q. Let's talk about pill press. Do you know what that
14 is?

13:30:52 15 A. Aaron and Drew showed us the pill press that was
16 used for Xanax initially when we were shipping that out.

17 Q. Where was that located when you saw it?

18 A. In the SugarHouse.

19 Q. On Murphy's Lane?

13:31:05 20 A. Yeah.

21 Q. Where in the house, do you recall?

22 A. In the basement in a storage room off a door in
23 Aaron's room and downstairs.

24 Q. And you said they were -- so that was before Drew
13:31:19 25 left, so they were only pressing Xanax at that time to your

1 knowledge?

2 A. Correct.

3 Q. How was the sales done to your knowledge? How was
4 contact made with customers?

13:31:35 5 A. Through an online platform similar to ebay but on
6 the Dark Web.

7 Q. Who ran that?

8 A. Aaron ran that.

9 Q. And how would that work, then? Walk us through the
13:31:49 10 process of how somebody orders and get drugs.

11 A. I assume -- I never saw the site online, but
12 ordering through finding a listing basically saying, I want to
13 buy that, providing information, Aaron receives the address,
14 the order info and then passes that along.

13:32:09 15 Q. To whom?

16 A. To myself and Katie.

17 Q. And then what would you guys do?

18 A. Package the order that was referenced with the
19 address.

13:32:22 20 Q. And then what?

21 A. Ship it out.

22 Q. And initially that was you guys, and then later
23 somebody else took over that role?

24 A. Yeah.

13:32:30 25 Q. How was the money controlled? Did you guys get

1 money directly from these sales?

2 A. No. We just got paid every other week in cash from
3 Aaron.

4 Q. How did that cash get to you? Like physically did
13:32:46 5 he pay you in cash with his hand?

6 A. Yeah. There were times if he was, you know, around
7 when we were home he would come in and give it to us then, or
8 he would put it in my truck.

9 Q. So who was in charge of this operation? Who gave
13:33:02 10 you instructions on how to do things?

11 A. Aaron.

12 Q. Now let's be clear. Before Drew left Drew had some
13 involvement in that; correct?

14 A. Yeah. He had a role.

13:33:14 15 Q. Okay. And then after Drew left was it exclusively
16 Aaron?

17 A. Yeah. We didn't communicate with anyone else.

18 Q. Did you know anyone in the organization?

19 A. Knew of them, yeah. Kind of put two and two
13:33:28 20 together to know who was involved.

21 Q. Give us an example.

22 A. Sean Gygi was the person that picked packages up
23 from us to drop them off.

24 Q. Did you have much communication with Gygi?

13:33:40 25 A. Just to let him know orders were ready.

1 Q. How did you communicate with him?

2 A. Katie would text him via Telegram and let him know.

3 Q. Anybody else you knew in the organization?

4 A. Yeah. Mario Noble.

13:33:56 5 Q. And how did you come to know that Mr. Noble was
6 part of the organization?

7 A. Just kind of by chance. Process of elimination in
8 a conversation that he had with Katie at work. He saw the
9 Telegram app on her phone and kind of questioned, oh, why do
13:34:13 10 you use that? What do you use that for? And we knew that
11 Aaron and Mario were pretty good buddies. Aaron kind of tried
12 to take him out and take him under his wing to help him with
13 girls and stuff like that. So we kind of figured that is who
14 else would be involved.

13:34:31 15 Q. Did you have any other contact with Mr. Noble?

16 A. He would e-mail -- any customer service issues and
17 questions he would e-mail.

18 Q. And we'll get to that specifically a little bit
19 later.

13:34:41 20 Did Mr. Shamo move from that SugarHouse location to
21 somewhere else?

22 A. Yeah. He moved to Cottonwood Heights.

23 Q. And was that shortly after Drew left the country,
24 Mr. Crandall?

13:34:54 25 A. Yes.

1 Q. Have you been to the Cottonwood Heights home?

2 A. I have.

3 Q. What was that like?

4 A. Pretty nice house. But I'd only been in the living
13:35:06 5 room mostly and then into an office once.

6 Q. Okay. And did you know what was occurring over
7 there?

8 A. I'm assuming -- I assumed the manufacturing of the
9 products that he was bringing to us.

10 Q. Did Mr. Shamo upgrade your equipment at times when
11 something would break or you needed something else?

12 A. Yeah. Uh-huh (affirmative).

13 Q. Let's look at Page 27 of 11.00.

14 Q. What's that?

15 A. It's a heat press to reseal or seal mylar bags.

16 Q. What was the purpose of doing that?

17 A. So nothing came out of that package so it was
18 sealed tight, air tight.

19 Q. Okay. Let's look at 34.

20 A. It's kind of a dark picture, but can you see that?

21 A. Yeah. That was the initial heat press that was
22 used.

23 Q. Okay.

24 A. Didn't work very well.

25 Q. Had lots of frustrations with that one?

1 A. Yeah.

2 Q. So how did you get the other one? How did you get
3 upgraded?

4 A. Just by telling Aaron, hey, this really isn't
13:36:26 5 working for us. Can you find another machine that we can use?

6 Q. And he would take care of you when you had issues
7 like that?

8 A. Yeah. Yeah.

9 Q. Let's look at Page 21.

13:36:43 10 Do you recognize that silver thing?

11 A. Yeah. It's a scale that we used to kind of weigh
12 out pills instead of having to count out 100, 200.

13 Q. Let's look at 9.

14 What's that there on the right?

13:37:03 15 A. Another version of a scale. Better.

16 Q. That's a better one?

17 A. Yeah.

18 Q. Okay. So is that another upgrade that was provided
19 to you?

13:37:13 20 A. Yes.

21 Q. Why did you need a better scale?

22 A. To be more precise so we weren't sending too much
23 or too little.

24 Q. And as quantities increased did that become more
13:37:26 25 important?

1 A. Absolutely, yeah.

2 Q. So that silver one in Photo 21 just like everything
3 ended up in the closet?

4 A. Yeah.

13:37:35 5 Q. What was Mr. Shamo's demeanor like? How did he act
6 around you?

7 A. Very charismatic. You know, fun to be around,
8 friendly, happy.

9 Q. Did he try to solve your problems when you'd come
13:37:55 10 up with issues?

11 A. Yeah. Yeah. You know, he was definitely a yes man
12 and wanted to take care of anything we brought up.

13 Q. Did he sometimes give you extra money?

14 A. Yeah. Yeah. You know, if we were -- did a lot of
13:38:11 15 orders or kind of complaining about the time being spent he
16 would give a couple extra hundred dollars. I know you guys
17 are working hard, and here's a little bit extra to say thank
18 you.

19 Q. Tell us about the progression in pay. So I think
13:38:27 20 you said you guys were getting 500 or 1,000 at the beginning.
21 How did that progress?

22 A. Normally in, you know, every couple months, a
23 couple hundred dollars more, I don't remember the exact
24 increments, but I know we ended up at \$3500 biweekly.

13:38:50 25 Q. Between the two of you?

1 A. Correct.

2 Q. So roughly 7,000 a month between the two of you?

3 A. Yes.

4 Q. And that was towards the end you said?

13:39:01 5 A. Yeah. It was only the last couple months, maybe.

6 Q. And things had more or less steadily progressed
7 from the beginning to that point?

8 A. Yeah.

9 Q. Was that mostly in response to Mr. Shamo's
13:39:15 10 generosity, to you guys complaining, to the workload shifting?
11 What was the reason for those?

12 A. A little bit of everything. Obviously he saw the
13 amount of orders coming in, and we talked about it and would
14 ask, hey, you know, can we get a little extra money every
13:39:31 15 month? We're doing a lot. He said, yeah, yeah, we'll work on
16 it. I'll think about it and I'll let you know. And then
17 raises would come.

18 Q. Okay. At some point during 2016 did you tell
19 Mr. Shamo you were done delivering to the post offices?

13:39:49 20 A. Yes.

21 Q. Tell us about that conversation.

22 A. It was a conversation that Katie and I had, and she
23 just wanted to minimize our involvement continuously and
24 expressed frustration to have to do what seemed like
13:40:05 25 everything. So we reached out and said, you know, we would

1 really like someone to be a runner and take packages so we
2 don't have to do that, as well, minimize our involvement or,
3 you know, risk.

4 Q. When you say you reached out you reached out to
13:40:21 5 whom?

6 A. To Aaron.

7 Q. And had a conversation with him about it?

8 A. Correct, yeah.

9 Q. And what was his response?

13:40:26 10 A. He said, yeah, I'll find a runner for you. I'll
11 see, you know, there's probably someone who wants to be more
12 involved that could be a perfect fit that can do that.

13 Q. Did that end up happening?

14 A. Yes.

13:40:38 15 Q. Who did he get?

16 A. Sean Gygi.

17 Q. What was the timeframe of Mr. Gygi taking over that
18 role roughly?

19 A. Handful of months before November, so not too long
13:40:51 20 but several months.

21 Q. Handful of months, probably the summer of 2016?

22 A. Yeah.

23 Q. And again, how would that work? How would you
24 communicate with Mr. Gygi?

13:41:03 25 A. Once we finished packing orders for that day Katie

1 would send a message via Telegram to Sean to let him know they
2 were ready.

3 Q. So by that time were orders getting bigger?

4 A. Yeah. A lot bigger. A lot more orders, you know,
13:41:22 5 50, 60, 70 orders a day and large quantities.

6 Q. Did you guys still have to package and prepare all
7 of those for shipping?

8 A. Correct. Yeah.

9 Q. How would you get the packages to Mr. Gygi?

13:41:37 10 A. We would put them in boxes on the front porch, and
11 then he would pick them up from the porch.

12 Q. How would you communicate to them?

13 A. Telegram.

14 Q. Again can you explain briefly what that is?

13:41:47 15 A. Encrypting messaging through a specific app.

16 Q. Tell us about how the drugs that you were shipping
17 would get to your house.

18 A. So either Aaron would bring them over in a duffle
19 bag or a box or he would put them in my truck either at --
13:42:11 20 that was parked at ebay or parked in front of our house.

21 Q. And how would he have access to your truck?

22 A. Via pin pad on the door.

23 Q. So you didn't have to be there?

24 A. No.

13:42:23 25 Q. You could just --

1 A. Drop it off, yeah.

2 Q. And I'm sorry. You said a duffle bag?

3 A. Yeah.

4 Q. Often times that's how drugs would get to you?

13:42:33 5 A. Correct. Yeah.

6 Q. So would you have frequent contact with Mr. Shamo
7 when the drugs were delivered, or was it more often that he
8 would do it that way and just kind of give them to you in your
9 truck?

13:42:47 10 A. It was more often that he would give it to us in
11 the truck because with orders being as large as they were and
12 frequent as they were it needed to happen more often, and he
13 said he would be running behind on getting it pressed and
14 would try to get it out to us.

13:43:03 15 Q. And you guys were working full-time at ebay at that
16 time?

17 A. We were, yes.

18 Q. Was he working at that time?

19 A. He was not.

13:43:09 20 Q. So this was his thing?

21 A. Full-time, yeah.

22 Q. Tell me about customer service. So how -- would
23 you put the addresses in the computer to make the shipping
24 labels?

13:43:27 25 A. Correct. Yeah. Based on an e-mail that was sent

1 to us with the order information.

2 Q. Okay. You would type it into that USPS?

3 A. Yes.

4 Q. And what kind of response would you get from that
13:43:40 5 program?

6 A. It would either say it was a valid address or this
7 is actually the correct zip code or address unknown.

8 Q. And by address unknown it's like an invalid address
9 that you shouldn't ship to. Is that your interpretation?

13:43:57 10 A. Yeah.

11 Q. What would you do with those?

12 A. Just keep a record of them and then send it back
13 via e-mail and say, this address isn't valid.

14 Q. Who would you send those to?

13:44:06 15 A. Back to Aaron.

16 Q. By what means?

17 A. By the Sigaint or whatever.

18 Q. Sigaint. I'm not sure exactly either, but the
19 e-mail?

13:44:17 20 A. Yeah.

21 Q. And then would Mr. Shamo get back to you on how to
22 deal with those address issues?

23 A. Yeah. He would reach out to the customer or have
24 someone reach out to the customer to get a correct address,
13:44:35 25 and then say, these are the updated addresses. Now you can

1 ship that order.

2 Q. And were there other customer service issues you
3 deal with, as well?

4 A. None that we really dealt with, but they were
13:44:50 5 messages that we would see in an e-mail that he would include,
6 you know, happy customers or, hey, can you throw in a sample
7 of this, or, can you send extras?

8 Q. And how were the roles between you and Ms. Bustin
9 separated? What did you guys kind of do?

13:45:13 10 A. So I would do all the addressing, labeling, put the
11 invoice in, pull the orders and un-encrypt them. And then she
12 would have a paper in front of her of what the order was, and
13 she would count it out and put it in a mylar and press it and
14 give it to me.

13:45:35 15 Q. And seal it back in the envelope and ready to be
16 shipped in a box?

17 A. Yeah.

18 Q. Let's look at Photo 8 from 11:00. And if you could
19 focus in on that paper on top of the --

13:45:52 20 Can you tell us what that is?

21 A. That's what the printout of the orders would look
22 like once it was unencrypted.

23 Q. So how would it get unencrypted again?

24 A. Through an encryption key on the computer that we
13:46:07 25 had.

1 Q. So you were given the key to un-encrypt encrypted
2 e-mail; correct?

3 A. Yes.

4 Q. And you would put the key in and un-encrypt it?

13:46:18 5 A. Correct.

6 Q. And then this is what would printout?

7 A. Yeah.

8 Q. Looking specifically, I know this is kind of hard
9 to see, but can you explain the lines on this? So let's

13:46:29 10 look -- let's start on the bottom one where it says, M Box.

11 Do you see that down there?

12 A. Yeah.

13 Q. Explain what that means down there.

14 A. So that was -- we knew that as the blue pill that
15 had a square on it with an M imprinted. That I'm assuming
16 what the terminology would be on the website that he used
17 times 5,000 and the quantities that was being shipped, order
18 number, date it was ordered and customer, user name, and then
19 how it was to be shipped.

13:47:03 20 Q. Meaning priority mail?

21 A. Yeah.

22 Q. Most of these seem to say.

23 A. Yeah. There were very few that requested
24 expedited.

13:47:12 25 Q. And if they did what would you do with that?

1 A. Put it in a blue envelope, and it would ship
2 faster.

3 Q. And they would tell you the shipping price, and you
4 would have to put that amount of postage on it?

13:47:25 5 A. Yes.

6 Q. So looking at this particular order form do you see
7 the date on these orders?

8 A. Yeah. November 19th, 2016.

9 Q. Okay. And it looks like there's four of them on
10 this page. Can you see the quantities?

11 A. Yeah. They're all 5,000.

12 Q. And is that what you were doing at this time? This
13 is a few days before the police came.

14 A. Correct. Yeah. That was a current order that had
15 been shipped out.

16 Q. I'm going to hand you these two exhibits. Let's
17 look first at what's marked as 11.03. Can you tell us what
18 that is?

19 A. So that was an order sheet that had been completed.

13:48:35 20 Q. And that was found at your residence there?

21 A. (Witness indicates by nodding head up and down.)

22 Q. How can you tell it's been completed?

23 A. So the kind of squiggly mark over the order was
24 Katie's way of saying that item was done. And there's tally
25 marks for what's been counted so she could keep track.

1 Q. And let's look at the other one I handed you, which
2 I think is 11.02. Is that what the yellow sticker says?

3 A. Yes.

4 Q. Flip that over and look at the back.

13:49:08 5 What is that?

6 A. So same thing. Completed orders from September
7 with the same mark just shown that they had been done,
8 counted.

9 Q. Let's look at Page 36 of the photos.

13:49:28 10 Do you see that on the screen?

11 A. Yeah. Same page.

12 Q. Same page as 11.02, the front page that you're
13 looking at there?

14 A. Yes.

13:49:42 15 Q. I'm sorry. Tell us again what those pink pen marks
16 mean.

17 A. That's Katie's way of just notating that that order
18 had been counted and done.

19 Q. And it looks like these are from September of 2016?

13:49:57 20 A. Yes.

21 Q. And what are the quantities on these?

22 A. 2,000 and 1,000, 1100.

23 Q. Is that normal quantities at that time?

24 A. Yeah.

13:50:10 25 Q. Were problems fairly frequent, meaning would you

1 have to communicate with Mr. Shamo almost daily on this stuff?

2 A. Yeah. We definitely communicated daily. Address
3 issues, needing Bitcoin transfer to purchase postage, needing
4 more product or more bags to put things in.

13:50:38 5 Q. And how would those communications take place?

6 A. All via Telegram.

7 Q. And was Mr. Shamo pretty good at responding to your
8 concerns?

9 A. Yeah. He was good. If he didn't respond, then we
13:50:52 10 would send an emoji in a normal text message to try to get him
11 to look at Telegram.

12 Q. I think you testified previously that you and
13 Ms. Bustin were uncomfortable at times with what you were
14 doing?

13:51:12 15 A. Yeah. We definitely tried to compartmentalize what
16 we were doing, you know, whatever took place in the office
17 where we packaged. And that's where, we didn't talk about it
18 outside of that or tried not to to try to live as normal as
19 possible. I mean, obviously it was our choice to be involved,
13:51:34 20 but we kind of felt stuck, felt like it was something that we
21 had to do or, you know, really needed to do. So we tried to
22 keep it as separate from our life as possible, told no one
23 that we were involved.

24 Q. Did you make efforts to quit or leave the
13:51:53 25 organization?

1 A. We did, yeah. Especially in a couple weeks before
2 everything happened, we, you know had said, we really don't
3 want to be involved anymore. We just can't do it. I need you
4 to come get everything. And had said, you can't do that to
13:52:13 5 me. At least let me try to find a replacement. You can train
6 them and get them set up. Like if you do that I'll help you
7 with a downpayment on your house, and tried to kind of ease
8 that frustration.

9 Q. Did he know that house was important to you?

13:52:29 10 A. Yeah.

11 Q. How so?

12 A. He knew it was something that we wanted to do for
13 ourselves and put our life on, you know, a better track.

14 Q. So leading up to when the police came in November
13:52:46 15 of 2016, did Mr. Shamo drop off some drugs on November 18th,
16 which would have been a day Mr. Gygi was involved?

17 A. Yeah. He put them in our truck right outside our
18 house in a duffle bag.

19 Q. Was that normal?

13:53:10 20 A. Yeah.

21 Q. How would you know that there were drugs in your
22 truck?

23 A. He would send a message via Telegram letting us
24 know he made the drop and it was in place.

13:53:23 25 Q. Since the truck was locked you would just get them

1 when you were there?

2 A. Yeah.

3 Q. How did the drugs come to you?

4 A. Normally in small Ziploc bags inside larger Ziploc
13:53:39 5 bags and then that inside a duffle bag.

6 Q. On November 18th, so this is four days before the
7 police came, five days, did you put out packages for Mr. Gygi
8 as normal?

9 A. We did.

13:53:56 10 Q. And notify him via Telegram?

11 A. Correct.

12 Q. Did he come and get those?

13 A. He did, yeah.

14 Q. How did you know? Did he communicate with you by
13:54:07 15 Telegram that he got them, or did you just see that that he
16 were gone?

17 A. I think we just saw that they were gone. The boxes
18 were empty, so we would take them back in the house. But with
19 them being at our front door we could hear when someone was
13:54:22 20 there.

21 Q. That's what I was getting at. Yeah. 7.03? The
22 first page has got them all on a table. That one.

23 So looking at that, does that appear to be how many
24 packages you would have put out on the 18th?

13:55:25 25 A. Yeah. It seems like a normal --

1 Q. And it looks like it's a mix. So tell us about the
2 different sizes there.

3 A. Smaller orders in the envelopes, orders that would
4 fit in a small box and then larger orders in the larger boxes
13:55:42 5 just based on how much would fit.

6 Q. The quantities --

7 A. Correct.

8 Q. -- that would fit?

9 A. Yeah.

13:55:49 10 Q. Okay. And then let's look at 8.02. 8.01. Not a
11 picture.

12 You also put out a bunch the packages on the 20th.
13 So two days before the police came; correct?

14 A. Correct.

13:56:18 15 Q. And that was a large number of packages similar to
16 what we just looked at.

17 A. Yes.

18 Q. And again, all different sizes based on quantity.

19 A. Correct.

13:56:27 20 Q. Did that take some time to process and put those
21 together?

22 A. Yeah. Several hours.

23 Q. 8.03. Thank you.

24 Does that look like then the packages that you
13:56:42 25 would have put out on the 20th?

1 A. Yeah.

2 Q. Let's look at Exhibit 15.05, Exhibit -- I'm sorry,
3 Page 7.

4 So do you recognize generally this what we're
13:57:10 5 looking at here?

6 A. Yeah. That would be an e-mail from Aaron, which is
7 American Steam, and has the encrypted message at the bottom,
8 which is the orders, and a little message from him.

9 Q. Can you read that message for us up there?

10 A. Yeah. Happy weekend. I'll try to come over and
11 drop stuff, with a smiley face.

12 Q. What's the smiley face?

13 A. Aaron's way of sending a smiley face.

14 Q. Kind of his thing? He often did that in these
13:57:43 15 messages?

16 A. Yes.

17 Q. And what does that mean, I'll try to come over
18 tomorrow and drop stuff. You're reading that. What does that
19 mean to you?

20 A. Bring product, bring pills and drop it off.

21 Q. And the gibberish at the bottom, what did you say
22 that is?

23 A. It's an encrypted message with the orders.

24 Q. Let's look at 15.05. Can you tell us what that is?

25 A. Yeah. That's the download available for the

1 orders, the shipping labels from Get USPS.

2 Q. Again, so that's again on this encrypted e-mail
3 system, and it's Get USPS talking about shipping labels.

4 A. Yeah.

13:58:34 5 Q. And you're receiving or sending message on this.
6 Pass the peas is you?

7 A. Yes.

8 Q. So you're receiving this message?

9 A. Correct.

13:58:44 10 Q. Let's scroll to Page 2.

11 So you see the date on that is November 22nd?

12 A. Yeah.

13 Q. And obviously you remember that day. What is this
14 message mean here? It says, hey, first half.

13:59:08 15 A. So we pulled orders, but only some of them and sent
16 it over, because he wanted to get them done and didn't want to
17 wait till whatever time to get them.

18 Q. And when you say "he," who are you talking about?

19 A. Aaron.

13:59:21 20 Q. And is that who American Steam is up there?

21 A. Yes.

22 Q. That was his e-mail address?

23 A. Yeah.

24 Q. So sometimes he would send you part orders so you
13:59:32 25 could get working on them and send them later?

1 A. Send the rest, yeah.

2 Q. Let's look at Page 5. There's a different "from"
3 up there. Do you see that?

4 A. Yeah.

13:59:55 5 Q. It says shortbread 66?

6 A. Yes.

7 Q. Do you know who that is?

8 A. Drew.

9 Q. Drew Crandall?

14:00:02 10 A. Correct.

11 Q. And how long had he had that address?

12 A. I don't know when he set that up, but that was what
13 he was using when he was abroad to try to help with customer
14 service issues.

14:00:16 15 Q. So was there a period where Drew was kind of out
16 and you never saw anything from Drew?

17 A. Yeah. He was completely gone.

18 Q. And then did he come back in to do customer
19 service?

14:00:27 20 A. Yeah. Aaron mentioned that they kind of needed
21 more money abroad and offered, you know, him to help with
22 something simple like this instead of -- nothing physical, but
23 could pull orders or help handle customer service.

24 Q. And you were told or became aware that
14:00:43 25 Shortbread 66 was Drew Crandall?

1 A. Correct.

2 Q. And when he came back in you started getting
3 e-mails from him.

4 A. Yes.

14:00:51 5 Q. What does this mean? It says subject says,
6 reshipped 11/20. What does that mean to you?

7 A. So unhappy customers. We need to reship the same
8 order again.

9 Q. Either the product was bad or it didn't show up or
14:01:04 10 there was just some problem?

11 A. Correct. Yeah.

12 Q. Would Drew tell you what the problem was or just
13 tell you how to fix it?

14 A. Just tell us how to fix it.

14:01:12 15 Q. And it says attachments in there, and there are two
16 text files there. Do you know what that means?

17 A. Yeah. One encrypted message to pass the peas,
18 which is us, and then one to Pharma, which was Aaron.

19 Q. What do you mean by encrypted message?

14:01:31 20 A. With the order information so we knew which orders
21 were shipping out again.

22 Q. I see. So whatever was being shipped those are the
23 instructions in the encrypted gibberish there at the bottom?

24 A. Correct.

14:01:46 25 Q. Which you had the key to un-encrypt?

1 A. Yes.

2 Q. And to your knowledge Mr. Shamo had that, too?

3 A. Yes.

4 Q. November 21st, so the day before the police came,
14:02:02 5 was there an occasion that Mr. Gygi wasn't coming so you had
6 to do some work yourself?

7 A. Yeah. We had to package the orders and drop them
8 off ourselves.

9 Q. So you guys did that and dropped them at the postal
14:02:19 10 boxes?

11 A. I did, yeah.

12 Q. You did. Okay. Roughly how many packages, if you
13 recall?

14 A. 40, maybe. Somewhere around there.

14:02:32 15 Q. And at that time were you using the same return
16 address?

17 A. Yeah.

18 Q. Do you recall what that was?

19 A. I think it was in West Jordan at that time. But I
14:02:47 20 don't remember.

21 Q. Because that's where you recall dropping the
22 packages off?

23 A. Yeah. Correct.

24 Q. Let's look at Exhibit 9.20. And if you could,
14:02:59 25 yeah, focus in on that address label.

1 Do you recognize that address label?

2 A. Yeah. So build it up was what the return name was
3 at the time because we were going to add Legos to the packages
4 to ship out with it.

14:03:16 5 Q. So that sounded like a company name that would make
6 sense with Legos?

7 A. Yeah.

8 Q. And at that time did you put that same return
9 address on all the packages?

14:03:28 10 A. I did, yes.

11 Q. So you ended up talking to the police then when
12 they came on November 22nd.

13 A. Yes.

14 Q. Did you specifically tell them about that return
14:03:37 15 address?

16 A. Yeah. And I told them where they were dropped off
17 so that they could take them before they were picked up to be
18 shipped out.

19 Q. Let's talk then specifically about November 22nd.
14:03:55 20 Day started normal.

21 A. Yeah, fairly normal.

22 0. Day didn't end normal.

23 A. Right.

24 Q. I guess let's start with you were pulled over in
14:04:07 25 your truck that morning?

1 A. I was. I was on my way to school and was pulled
2 over coming out of Daybreak on the hill.

3 Q. And where were you going to school at that time?

4 A. Utah Helicopter in West Jordan.

14:04:25 5 Q. Studying what?

6 A. Flight rotorcraft.

7 Q. You were going to be a helicopter pilot?

8 A. I was, yeah.

9 Q. So you were pulled over by an officer. And were
14:04:37 10 you cooperative from the beginning?

11 A. Yeah, absolutely. As soon as he asked, you know,
12 why do you think I'm pulling you over? I'm not in a uniform.
13 I'm not in a marked vehicle. And I said, I know. I know why.

14 Q. And so did you talk to him a little bit?

14:04:54 15 A. Yeah. You know, he asked me where Katie was. And
16 that morning she was getting milk from my mom's house, which
17 is about six doors down. So I told him that. And I said,
18 please don't, you know, kick down my door. I'll let you in.
19 Whatever you need me to do, I can do.

14:05:20 20 Q. And so you did go back and, in fact, let the police
21 into your home with the keys.

22 A. Yes.

23 Q. And Ms. Bustin was in there?

24 A. She was, yeah.

14:05:29 25 Q. And they kind of took her aside, as well?

1 A. Correct.

2 Q. And then they searched your home pretty thoroughly;
3 correct?

4 A. Yes.

14:05:41 5 Q. And meanwhile you guys were being interviewed by
6 other officers there.

7 A. We were, yeah.

8 Q. I want to walk through a few of these photos from
9 your house, so --

14:05:54 10 THE COURT: I've got a calendar that starts at
11 2:30. How much more time do you have?

12 MR. STEJSKAL: I don't believe I certainly couldn't
13 finish direct and cross by 2:30.

14 THE COURT: How much more time on direct?

14:06:14 15 MR. STEJSKAL: Probably at least 20 minutes.

16 THE COURT: Better start in the morning with it.
17 Jurors have been in for over an hour and a half now. All
18 right.

19 So thank you, ladies and gentlemen of the jury. I
14:06:35 20 appreciate your work. You know the rules about talking to
21 people or anyone. And be safe. We'll see you at 8:30 in the
22 morning.

23 (Whereupon, the jury left the court proceedings.)

24 THE COURT: We'll be in recess on this matter until
14:07:17 25 8:30 tomorrow. Thank you.
(Whereupon, the testimony was continued to August 13, 2019.)

1 STATE OF UTAH)
2) ss.
3 COUNTY OF SALT LAKE)

4 I, KELLY BROWN HICKEN, do hereby certify that I am
5 a certified court reporter for the State of Utah;

6 That as such reporter, I attended the hearing of
7 the foregoing matter on August 13, 2019, and thereat reported
8 in Stenotype all of the testimony and proceedings had, and
9 caused said notes to be transcribed into typewriting; and the
10 foregoing pages number from 4 through 82 constitute a full,
11 true and correct report of the same.

12 That I am not of kin to any of the parties and have
13 no interest in the outcome of the matter;

14 And hereby set my hand and seal, this _____ day of
15 _____ 2019.

20 _____
21 KELLY BROWN HICKEN, CSR, RPR, RMR
22
23
24
25